

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOE DASILVA, JR.,

Plaintiff,

Case No: 2:20-cv-11358

Hon. Mark A. Goldsmith

Magistrate Judge Anthony P. Patti

v.

CHRISTINE WORMUTH,
Secretary of the Army, and
MARTIN POTTER, in his
individual capacity,

Defendants.

Keith Altman, Esq. (P81702)
The Law Office of Keith Altman
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Farmington Hills, MI 48331
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**PLAINTIFF'S RE-NOTICE OF
RULE 30(b)(6) DEPOSITION**

TO: CHRISTINE WORMUTH, SECRETARY OF THE ARMY

Benjamin A. Anchill, Esq.
Assistant United States Attorney
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
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Attorneys for Defendant, Christine Wormuth

PLEASE TAKE NOTICE that pursuant to Rule 26 and 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiffs, by and through their undersigned attorneys, will

take the deposition of CHRISTINE WORMUTH, SECRETARY OF THE ARMY (“the DEPARTMENT”) on **October 17, 2022** beginning at **8:00 am (EST)** located at United States Attorney’s Office Eastern District of Michigan, 211 W. Fort St., Suite 2001, Detroit, MI 48226.

Pursuant to Fed. R. Civ. P. 30(b)(6), the DEPARTMENT shall designate and produce a designated representative or representatives, as may be required, to testify on behalf of the DEPARTMENT concerning the topics identified in *Exhibit A* attached hereto.

The deposition will be taken before a person authorized by law to administer oaths, pursuant to Fed. R. Civ. P. 28, and will continue from day-to-day, excluding Sundays and court-recognized holidays, until the examination is completed. The deposition will also be videotaped.

Dated: September 15, 2022

Respectfully submitted,

By: /s/ Keith Altman
Keith Altman, Esq. (P81702)
THE LAW OFFICE OF KEITH ALTMAN
33228 West 12 Mile Road, Suite 375
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CERTIFICATE OF SERVICE

I hereby certify that on September 15, 2022, I served the foregoing document on all counsel of record *via* email.

/s/ Keith Altman
Keith Altman, Esq.
Attorney for Plaintiff

EXHIBIT A

Definitions

The following definitions apply to this Notice of Deposition, including those matters set forth in Exhibit A hereto, and are deemed to be incorporated into each subject and request for documents listed below:

1. “Identify” or “identity” with respect to persons, means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment.

2. “the DEPARTMENT” “You,” or “Your” refers to **the Defendant Christine Wormuth, Secretary of the Army and/or the Army, the Department of the Army, Installation Management Command, United States Army Garrison-Detroit Arsenal, Detroit Arsenal Fire Department**, and all partners, directors, officers, employees, servants, agents, attorneys, joint ventures, or other representatives, including all corporations and entities affiliated with the DEPARTMENT. The terms shall also include all predecessor business entities, as well as any predecessor's partners, directors, officers, employees, servants, agents, joint ventures, or others acting on their behalf. The terms shall also include all foreign subsidiaries or foreign parent companies, as well as any foreign subsidiaries' or parent companies' partners, directors, officers, employees, servants, agents, joint ventures or others acting on their behalf.

3. “Person” means natural person, as well as corporate and/or governmental entity.

4. “Relating to,” “relate to,” “referring to,” “refer to,” “reflecting,” “reflect,” “with regard to,” “pertaining to,” “concerning,” or “concern” shall mean evidencing, regarding, concerning, discussing, embodying, describing, summarizing, containing, constituting, showing, mentioning, reflecting, dealing with, relating to, referring to in any way or manner, or in any way logically or factually, connecting with the matter described in that paragraph of these demands, including documents attached to or used in the preparation of or concerning the preparation of the documents.

5. “Documents” as used in this Request is coextensive with the meaning of the terms “documents” and “tangible things” in FRCP 34, and shall have the broadest possible meaning and interpretation ascribed to the terms “documents” and “tangible things” under FRCP 34.

6. "Or" and "and" will be used interchangeably.

7. Unless otherwise indicated, the relevant time period for the information sought is January 1, 2016 to present.

Deposition Subject Matter

Pursuant to Rule 30(b)(6), the DEPARTMENT shall designate and produce for deposition one or more of its officers, directors, managing agents, or other persons who consent to testify on its behalf concerning the following subject matters:

1. Testimony as to the DEPARTMENT’s record retention policies.
2. The DEPARTMENT’s processes, policies, guidelines, protocols and/or standards for hiring and promoting its employees.

3. The DEPARTMENT'S policies, rules, regulations, procedures, protocols, guidelines, standards, training manuals, instructions, pamphlets, promotional materials, and/or any other written material regarding harassment in the workplace.

4. The DEPARTMENT's role and process in which it disciplines employees for violations of its policies, rules, regulations, procedures, protocols, guidelines, or standards.

5. How the DEPARTMENT processes complaints of harassment in the workplace.

6. The DEPARTMENT's involvement in this matter.

7. The DEPARTMENT's actions and communications with Defendant Martin Potter pertaining to the allegations in this matter.

8. The DEPARTMENT's actions and communications with Plaintiff Joe DaSilva, Jr. pertaining to the allegations in this matter.

Request for Documents

1. All documents referred to by the Deponent(s) or anyone assisting Deponent(s) in preparing for his or her testimony on the above deposition topics.